

Waltham City Council
Minutes of the Meeting of
October 23, 2017

President LeBlanc called the meeting to order at 7:30pm.

The Clerk called the roll of the City Council.

Call of the Roll:

City Council

Present: Councillors Darcy, LeBlanc, R., Logan, McMenimen, O'Brien, Rourke, Fowler, McLaughlin, Romard, Marchese, Waddick, Giordano, LeBlanc, D. Vidal, Brasco

Absent: None

The Clerk recited the Council Prayer followed by President LeBlanc leading all present in the Pledge of Allegiance.

Councillor Giordano asked for a moment of silence for all our military that have served; past and present.

Councillor Logan stood and spoke on the passing of Mary Early. He asked for a moment of silence for her.

Councillor McMenimen stood and spoke on the passing of Bill Butler.

Councillor Logan moved approve the minutes for the 10/10/2017 City Council meeting. All were in favor and minutes were approved by a voice vote.

The Clerk Pro Tem read Rule 86.

The Clerk Pro Tem read the first public hearing: Grant of Location for Cellco Partnership dba Verizon Wireless at /near 333 Forest Street.

John Weaver, Attorney, representing the petitioner, spoke in favor of the petition. Pamela Perini, 20 Freemont Terrace, Waltham asked a question only seeking information on the petition. With no one else in support and no one else in opposition and no one in a neutral position of the petition, President LeBlanc closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillors McLaughlin, Rourke, Romard all asked questions to the petitioner. With no further questions from Councillors President LeBlanc referred the matter to the License and Franchise Committee.

The Clerk Pro Tem read the second public hearing: Grant of Location for Nstar dba Eversource Energy at Central Street.

Karen Johnson, Representative for the petitioner spoke in favor of the petition. With no one else in support and no one else in opposition and no one in a neutral position of the petition, President LeBlanc closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillor Marchese asked questions to the petitioner. With no further questions from Councillors President LeBlanc referred the matter to the License and Franchise Committee.

Councillor Marchese spoke on the third public hearing. There is an issue with the MWRA and they need to withdraw their petition. Councillor Marchese moved to accept a late filed communication. All were in favor. Councillor Marchese moved to accept the withdrawal from the petitioner. Roll call requested.

In favor: Brasco, Giordano, Logan, Rourke, Vidal, Waddick, LeBlanc, D. Darcy, Fowler, LeBlanc, R., McLaughlin, McMenimen, O'Brien, Romard, Marchese

Opposed: None

Absent: None

Matter was approved.

Communications from the Mayor

1. The Mayor respectfully requests an appropriation of funds in the amount of \$150,000.00 to replace both boiler units at City Hall. Due to the age of the units and the inability to repair, both units need to be immediately replaced.

Referred to the Finance Committee

2. The Mayor respectfully requests a transfer of traffic impact funds in the total amount of \$286,654.00 to be used towards the traffic signal reconstruction at the intersection of River/Farwell/Seyon. The low bid for the project was \$286,654.00.

Referred to the Finance Committee

3. The Mayor respectfully requests an appropriation of funds in the total amount of \$130,725.00 to award the low and responsible bid of \$124,500.00 (BSC Group) for the design services-380 Lexington Street (Intersection of Lexington Street, Bacon Street and Totten Pond Road). The funding request also includes a 5% contingency of \$6,225.00.

Referred to the Finance Committee

4. The Mayor respectfully requests that the duties of the City Planner be modified to include true planning duties. On February 6, 2014, I sent a request to the City Council regarding reforming the Planning Department, and requesting that the duties of the City Planner be changed by the City Council. The First Assistant City Solicitor for Zoning and Real Estate Pat Azadi, the City Planner Catherine Cagle, and I were available to discuss, but were never called in. The matter was filed by the City Council on December 27, 2016. Please see enclosures. As you know, the City of Waltham does not have a true Planning Department. The function of the Board of Survey and Planning was established by Special Act of the Legislature, so they do not function in a planning way as do many other planning boards. We, as elected officials, know that most of the development planning actually occurs in the City Council itself. On a rare occasion, the City Council asks the Planning Department to be involved with regard to special permits and zoning. Both of which are under the jurisdiction of the City Council. The issue of a Planner with a true Planning Department is a perennial issue from the citizens of Waltham. Twice since I have been Mayor, I have put forth two funding requests for zoning studies. One request from me, when I was first elected Mayor, and the other from the City Council, which is pending. We are available to discuss and are open to ideas to achieve a true Planning Department.

Referred to the Ordinance & Rules Committee

Councillor Logan made a request to have the Mayor come to the Ordinance & Rules Committee on November 20, 2017. All were in favor. Request was approved.

Applications & Licenses

All were referred to the License & Franchise Committee

Class 2 License renewal – 103 Felton St. - Sideris Automotive Services, Inc.

Class 2 License renewal – 712 Moody St. – DW Enterprises Inc.

Class 2 License renewal – 255 Newton Street – Newton Street Service, Inc.

Class 2 License renewal – 185 Prospect Street – Colvins Inc.

Class 2 License renewal – 44 Charles St. – PPA. Inc. dba Waltham

Class 2 License renewal – 935 R. Main Street – Pilicy Auto & Yacht Inc.

Class 2 License renewal – 50 River Street – Absolute Auto Sales

Class 2 License renewal – 40 Green St. – Route 128 Used Auto Parts & Sale Inc.

Class 2 License renewal – 22 Common Street – Euro Auto Brokers

Massport Letter Application – Andrew Wantate – 71 Middlesex Road Apt. #5

Councillor McMenimen asked for the spelling of David Sandison's name to be corrected and spelled properly on the resolution.

Resolutions

1. David Sandison Resolution. The Clerk Pro Tem read the Resolution. Councillor Romard spoke on the Resolution. President LeBlanc referred the matter to the License & Franchise Committee
2. Facilitated Meeting regarding Waltham High School Resolution. The Clerk Pro Tem read the Resolution. Councillor Fowler spoke on the Resolution. President LeBlanc referred the matter to the Committee Of the Whole.
3. Warming Shelter Resolution. The Clerk Pro Tem read the Resolution. Councillor Fowler spoke on the Resolution. President LeBlanc referred the matter to Economic and Community Development Committee.
4. Girl Scout Resolution. The Clerk Pro Tem read the Resolution. Councillor McLaughlin spoke on the Resolution. Councillor McLaughlin moved to suspend the rules and act on the matter without committee reference. All were in favor. Councillor McLaughlin moved approval of the Resolution. All were in favor and Resolution was approved.
5. Highland Street Spur Resolution. The Clerk Pro Tem read the Resolution. Councillor Logan spoke on the resolution. President LeBlanc referred the matter to the Committee of the Whole. Councillor Logan moved to approve a request. All were in favor. Request was approved.
6. Coleman Stanton Property Resolution. The Clerk Pro Tem read the Resolution. Councillor Brasco spoke on the Resolution. President LeBlanc referred the matter to the Committee of the Whole.

Committee Reports

Licenses & Franchises

1. The License & Franchise Committee recommends the fuel storage application at 190 Moody Street be approved. Councillor Brasco moved to recommit the matter back to Committee. All were in favor and matter was recommitted back to the Committee by a voice vote.
2. The License & Franchise Committee recommends the request for the baseball dugouts at Yetten Field be dedicated to Al Scafidi be approved. Councillor Brasco moved that the action of the Committee be the action of the Council. All were in favor and matter was approved by a voice vote.
3. The License & Franchise Committee recommends the leave to withdraw a Grant of Location at 380 Forest Street be approved. Councillor Brasco moved that the action of the Committee be the action of the Council. All were in favor and matter was approved by a voice vote.

Committee of the Whole

1. The Committee of the Whole recommends the Resolution regarding the recreation department request be filed. Councillor Logan moved that the action of the Committee be the action of the Council. All were in favor and matter was filed by a voice vote.

Finance

1. The Finance Committee recommends the appropriation in the amount of \$732,000 for the Senior Center parking lot construction bid be approved. Councillor Marchese gave the history of the property. Councillor McMenimen moved that the action of the Committee be the action of the Council. All were in favor and matter was approved by a voice vote.
2. The Finance Committee recommends the gift of 30 Narcan Nasal Kits from Newton Wellesley Hospital to the Waltham Health Department be approved. Councillor McMenimen moved that the action of the Committee be the action of the Council. All were in favor and matter was approved by a voice vote.
3. The Finance Committee recommends the appropriation of funds in the amount of \$449,000 for the purchase of equipment for the engineering, Sewer and Water Departments be approved. Councillor McMenimen moved that the action of the Committee be the action of the Council. All were in favor and matter was approved by a voice vote.
4. The Finance Committee recommends the appropriation of funds in the amount of \$15,000 to purchase park benches be approved. Councillor McMenimen moved that the action of the Committee be the action of the Council. All were in favor and matter was approved by a voice vote.
5. The Finance Committee recommends the acceptance of a donation in the amount of \$10,000 from Last Call Foundation be approved. Councillor McMenimen moved that the action of the Committee be the action of the Council. All were in favor and matter was approved by a voice vote.

Ordinances & Rules

1. The Ordinances & Rules Committee recommends the zoning amendment for the educational cell installation be approved for a first reading. Councillor Rourke moved that the action of the Committee be the action of the Council. All were in favor and matter was approved by a voice vote. Councillor Rourke moved to recommit the matter to the Committee. All were in favor and the matter was recommitted to the Ordinance & Rules Committee.
2. The Ordinances & Rules Committee recommends the resolution regarding the National Fire Protection Association Standards be filed. Councillor Rourke moved that the action of the Committee be the action of the Council. All were in favor and matter was filed by a voice vote.

Councillor Logan moved to discharge the Bicycle Sharing Resolution from the Economic and Community Development Committee. All were in favor. Councillor Logan spoke on the Resolution. Councillor Logan made a request to have the Planning Director attend the Economic and Community Development meeting on Nov. 6th. All were in favor and request was approved. Councillor Logan moved to recommit the matter back to the Committee. All were in favor and resolution was recommitted to the Committee.

Tabled Items

- Dog Retreat Special Permit at 219 Bear Hill Road
- Children's Hospital Zoning Amendment Veto Order #33649
- Community Thank you Resolution

- Minutes from 1/23/2017, 5/8/2017

Councillor Logan moved to take the 1/23/2017 minutes from the table. All were in favor.

Councillor Logan moved to approve the minutes. All were in favor and minutes were approved.

- Communication from Mayor dated July 3, 2017 regarding Veterans Fields on Forest Street, Gann Academy and Bentley University, Community Preservation Act Fernald Land and the Massachusetts Historical Commission Letter
- Vote of the School Committee: To make a request of the City Council of their suggested uses at the Fernald Property and their approximate location, to determine if they are compatible with a school.

950 Winter Street Fuel Storage License

Councillor Darcy mentioned the Hardy Pond Cleanup happening this Saturday from 1030-12pm.

Councillor Logan moved to adjourn. President LeBlanc declared the meeting adjourned at 8:59p.m.

Respectfully submitted by:

Kara Wilson

Executive Assistant of the City Clerk

November 2, 2017

Approved by the City Council: _____