

Waltham City Council  
Minutes of the Meeting of  
October 28, 2019

---

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

**Call of the Roll:**

City Council

Present: Councillors Darcy, Fowler, Harris, LaCava, LeBlanc, Diane, LeBlanc, Randall, Logan, Mackin, McLaughlin, McMenimen, Nabulime, Romard, 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 Logan asked for a moment of silence for all our military that have served past and present.

Councillor Logan moved approval of the minutes from the City Council meeting on 10/15/2019. The motion was adopted on a voice vote and the matter was approved.

Councillor McMenimen moved to table the 10/15/2019 minutes from the executive session regarding a real estate matter. The motion was adopted on a voice vote and the matter was tabled.

Councillor McLaughlin moved to table the 10/15/2019 minutes from the executive session regarding pending litigation. The motion was adopted on a voice vote and the matter was tabled.

The City Clerk read Rule 86.

The City Clerk read the first public hearing: Extended Hours at 677 Moody Street

Councillor LaCava recused himself.

Derek Chen, the petitioner, spoke in favor of the petition. Guy Sergi, representing the neighbor who owns property at 672-674 Moody Street, 684-686 Moody Street, 688-692 Moody Street spoke in opposition to 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 Harris asked questions of the petitioner as well as Guy Sergi who was representing abutters. Councillors Vidal, Fowler, Randy LeBlanc and Nabulime asked questions of the petitioner. Guy Sergi spoke in rebuttal. With no additional Councillors asking questions, President Brasco closed the public hearing and referred the matter to the Licenses and Franchises Committee.

**Communications from the Mayor**

1. The Mayor respectfully requests acceptance of a grant in the amount of \$2000 from the MASSDEP Sustainable Materials Recovery Program to be used for small scale recycling initiative. Referred to the Finance Committee.
2. The Mayor respectfully requests a transfer of monies for a matter discussed in executive session. Referred to the Finance Committee.
3. The Mayor respectfully requests acceptance of a grant in the amount of \$5,000 from the Department of Health for the Opioid Overdose Prevention Program for the Waltham Fire Department. Referred to the Finance Committee.

4. The Mayor respectfully requests acceptance of a grant in the amount of \$43,000 from the Department of Mental Health for the Jail Diversion Grant FY2020. Referred to the Finance Committee.

### **Applications & Licenses**

All matters referred to the Licenses and Franchises Committee

1. Class 2 vehicle renewal – 1486 Main Street – European Auto Solutions
2. Class 2 vehicle renewal – 265 Bear Hill Rd– Specialty Auto Sales Inc. dba Eastside Motoring
3. Class 2 vehicle renewal – 825 Main Street – Don’s service Center Inc.
4. Class 2 vehicle renewal – 50 Thayer Rd. – Hull Corp. d/b/a Little Foreign Car Garage

### **Orders, Ordinances & Resolutions**

- Definition of Parking Space Resolution

The City Clerk read the Resolution. President Brasco referred to matter to the Ordinances and Rules Committee.

- Sidewalks on Public Roadways in Ward Three Resolution.

The City Clerk read the Resolution. Councillors Darcy & Fowler spoke on the Resolution. President Brasco referred to matter to the Public Works & Public Safety Committee.

### **Committee Reports**

#### **Licenses and Franchises**

1. The Licenses and Franchises Committee recommends the withdrawal without prejudice for the fuel storage application at 101-110 Clematis Ave. be approved. Councillor Diane LeBlanc recused herself. Councillor Vidal moved that the action of the Committee be the action of the Council. Roll call required.

In favor: Darcy, Fowler, Harris, LaCava, Randy LeBlanc, Logan, Mackin, McLaughlin, McMenimen, Nabulime, Romard, Stanley and Vidal.

Opposed: None

Recused: Diane LeBlanc.

Presiding: Brasco.

Matter was approved by a 13-0 vote.

2. The Licenses and Franchises Committee recommends the extended hours renewal at 1335 Main Street – Waltham Fuel Inc. be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.

3. The Licenses and Franchises Committee recommends the extended hours renewal at 821 Main St. – Monell Enterprises be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.

4. The Licenses and Franchises Committee recommends the Class 1 vehicle renewal application at 85 Linden St. – Aston Martin of New England be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.

Councillor Logan moved to approve #5-13 collectively. The motion was adopted on a voice vote and the matter was approved. Councillor Logan moved approval of the matters. The motion was adopted on a voice vote and the matter was approved.

5. The Licenses and Franchises Committee recommends the Class 2 vehicle renewal application at 215 Lexington St. – Fuller Motors Inc. be approved.

6. The Licenses and Franchises Committee recommends the Class 2 vehicle renewal application at 935R Main St. – Pilicy Auto & Yacht Inc. be approved.

7. The Licenses and Franchises Committee recommends the Class 2 vehicle renewal application at 50 River St. Absolute Auto Sales be approved.

8. The Licenses and Franchises Committee recommends the Class 2 vehicle renewal application at 44 Charles St. – PPA Inc. dba Waltham Motor Co. be approved.

9. The Licenses and Franchises Committee recommends the Class 2 vehicle renewal application at 225 Newton St. – Newton Street Services, Inc. be approved.

10. The Licenses and Franchises Committee recommends the Class 2 vehicle renewal application at 103 Felton St. – Sideris Automotive Services d/b/a Three Sons Auto be approved.

11. The Licenses and Franchises Committee recommends the Class 2 vehicle renewal application at 712 Moody St. – DW Enterprises Inc. be approved.

12. The Licenses and Franchises Committee recommends the Class 2 vehicle renewal application at 251 Lexington St. – Boston Muffler & Brake Co, Inc. be approved.

13. The Licenses and Franchises Committee recommends the Class 2 vehicle renewal application at 614 Moody St. –Diamond Automotive Dist., Inc. be approved.

14. The Licenses and Franchises Committee recommends the Massport letter application for Abdulkadir Keslin who resides at 193 River St. Unit 1 be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.

### **Public Works & Public Safety**

1. The Public Works and Public Safety Committee recommends the 17-25 street opening at 760 Winter St. be approved. Councillor Diane LeBlanc recused herself. Councillor Randy LeBlanc moved that the action of the Committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.

### **Finance**

1. The Finance Committee recommends a transfer of funds in the amount of \$9,800 for an asbestos abatement survey in the building on the Arrigo Farm property be approved. Councillor McMenimen moved that the action of the Committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.

2. The Finance Committee recommends the transfer of traffic impact funds totaling \$11,459 for additional engineering and design services at the Totten Pond Road/Lexington St. intersection be approved. Councillor McMenimen moved that the action of the Committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.
3. The Finance Committee recommends acceptance of fifteen turnout gear suits for children donated by the Max McCormick Memorial Foundation. Councillor McMenimen moved that the action of the Committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.
4. The Finance Committee recommends a transfer from the stabilization funds totaling \$15,000 for the structural review, preparations and construction administration for the Mary Early Footbridge be approved. Councillor McMenimen moved that the action of the Committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.
5. The Finance Committee recommends the acceptance of a grant renewal in the amount of \$152,176 to assist PSAP and enhance 911 services and communication centers. Councillor McMenimen moved that the action of the Committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.
6. The Finance Committee recommends a transfer of funds in the amount of \$255,000 for technology improvements be approved. Councillor McMenimen rose to speak on the matter. Councillor Mackin spoke on the matter. Councillor Mackin moved to request the IT Director attend the next Committee meeting to discuss matter further. The motion was adopted on a voice vote and the matter was approved. Councillor McMenimen moved to split the request. The motion was adopted on a voice vote and the matter was approved. Councillor Mackin moved to recommit the line item for \$130,000 for the Email Upgrade to the Finance Committee. Roll call required.  
In favor: Darcy, Harris, LaCava, Randy LeBlanc, Mackin, McLaughlin, McMenimen, Nabulime  
Opposed: Fowler, Diane LeBlanc, Logan, Romard, Stanley, Vidal and President Brasco.  
Absent: None  
Request was approved by an 8-7  
Councillor McMenimen moved approval of the \$125,000 for backup disaster recovery. The motion was adopted on a voice vote and the matter was approved.
7. The Finance Committee recommends the acceptance of the state 911 Department Training Grant renewal in the amount of \$24,846.51. Councillor McMenimen moved that the action of the Committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.

### **Long Term Debt & Capital Planning**

1. The Long Term Debt and Capital Planning Committee recommends a transfer of funds in the amount of \$97,264 to make major repairs/upgrades to Senior Center, Trapelo Rd. Fire Station, Prospect St. Fire Station, Central Fire Station and Waltham Radio Tower be approved. Councillor Darcy moved that the action of the Committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.
2. The Long Term Debt and Capital Planning Committee recommends a transfer of capital improvement and traffic impact funds totaling \$98,448 to be used to purchase and install 3 video detection cameras at Moody and Common Streets, Main and Lexington Streets and Elm and Church

Streets be approved. Councillor Darcy moved that the action of the Committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.

3. The Long Term Debt and Capital Planning Committee recommends a transfer of funds totaling \$220,000 to fund drainage improvements in the Lowell St. and Ash St. area be approved. Councillor Darcy moved that the action of the Committee be the action of the Council. Roll call requested. In favor: Darcy, Fowler, Harris, LaCava, Diane LeBlanc, Randy LeBlanc, Logan, Mackin, McLaughlin, McMenimen, Romard, Stanley and Vidal.  
Opposed: Nabulime  
Presiding: Brasco.  
Matter was approved by a 13-1 vote.

### **Ordinances and Rules**

1. The Ordinances and Rules Committee recommends that the Resolution for Café Zoning be approved to schedule a public hearing. Councillor Darcy moved that the action of the Committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.

### **Unfinished Business & Other Business**

- Time extension for Special Permit application at 185 Willow Street  
Councillor McLaughlin 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 McLaughlin moved approval of the time extension. Roll call required.  
In favor: Darcy, Fowler, Harris, LaCava, Diane LeBlanc, Randy LeBlanc, Logan, Mackin, McLaughlin, McMenimen, Nabulime, Romard, Stanley and Vidal.  
Opposed: None  
Presiding: Brasco.  
Matter was approved by a 14-0 vote.

- CPC recommendation for an appropriation of CPA funds for UMass Field Station & Farm Acquisition  
Referred to the Long Term Debt & Capital Planning Committee
- CPC recommendation for an appropriation of CPA Housing Funds for Roof Replacement at Prospect Hill Terrace  
Referred to the Long Term Debt & Capital Planning Committee
- CPC recommendation for an appropriation of CPA Housing Funds for Roof Replacement at Beaverbrook Apartments  
Referred to the Long Term Debt & Capital Planning Committee
- Minor Modification to Special Permit #31842 located at 900 Winter Street and 910 Winter Street for PD Winter Street, LLC  
Referred to the Ordinances and Rules Committee

President Brasco reminded everyone to get out and vote in the election on November 5, 2019.

Councillor Darcy moved to adjourn. The motion was adopted on a voice vote and President Brasco declared the meeting adjourned at 8:13 p.m.

Respectfully submitted by:

Kara Wilson

Executive Assistant of the City Clerk

November 7, 2019

Approved by the City Council: \_\_\_\_\_