

Waltham City Council
Minutes of the Meeting of
November 9, 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 Durkee 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 10/26/2020. The motion was adopted on a voice vote and the minutes were approved.

Councillor Durkee moved to suspend the rules to take the Veterans Day Resolution out of order. The motion was adopted by a voice vote and the matter was approved, The City Clerk read the Resolution. Councillors Durkee and O'Brien spoke on the Resolution. Councillor Durkee 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 Durkee moved approval of the Resolution. The motion was adopted by a voice vote and the matter was approved.

Communications from the Mayor

1. The Mayor respectfully requests a transfer of funds totaling \$1,360,000 to fund the first two years of the collective bargaining agreement between the City and the Firefighters' Union for the period July 1, 2019 – June 30, 2022. Referred to the Finance Committee.
2. The Mayor respectfully requests a transfer of funds totaling \$343,850 to fund the first two years of the three-year collective bargaining agreement between the City and the Teamsters Union (Laborers) for the period of July 1, 2019 to June 30, 2022. Referred to the Finance Committee.
3. The Mayor respectfully requests a transfer of funds totaling \$724,900 to fund the compensation increase for the Non-Union employees for the period of July 1, 2019 – June 30, 2020 & July 1, 2020 to June 30, 2021. Referred to the Finance Committee.
4. The Mayor respectfully submits a copy of the vote of the School Committee regarding the surplus the Fitch School. Matter was referred to the Committee of the Whole to be combined with an existing matter.
5. The Mayor respectfully requests adoption of the amended compensation ordinance for Non-Union employees. Referred to the Ordinances and Rules Committee.
6. The Mayor respectfully submits an updated recommendation report from the Chief of Police relating to the new police station. Referred to the Committee of the Whole.

Applications and Licenses

All referred to the Licenses & Franchises Committee

Class 1 renewal – 85 Linden Street - Aston Martin of New England Lotus Motorsports, Inc.
Class 2 renewal – 50A River Street – Absolute Auto Sales
Class 2 renewal – 1486 Main Street - European Auto Solutions, LLC
Class 2 renewal – 143 Prospect Street – Prospect Automobile, Sale & Service Inc.
Class 2 renewal – 50 Thayer Road – Hull Corporation Inc.
Class 2 renewal – 53 Felton Street – Pilgrim Auto Body, Inc.
Class 2 renewal – 50 Thayer Road - Hull Corporation Inc.
Class 2 renewal – 44 Charles Street – P.P. A. Inc. dba Waltham Motor Co.
Class 2 renewal – 279R Crescent Street – Waltham Auto Tow, Inc.

Orders, Ordinances & Resolutions

- Resolution Concerning Tenants’ Rights and Proposed Ordinance

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

- Resolution on Liquor License Fees

Councillor LaCava recused himself. The City Clerk read the Resolution. Councillor Darcy spoke on the matter. President Brasco referred the Resolution to the Licenses and Franchises Committee.

Committee Reports

Licenses and Franchises

1. The Licenses and Franchises Committee recommends approval of a sign honoring the late Mac Henry Surette. 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.

Councillor Vidal moved to act on numbers 2-11 collectively. The motion was adopted by a voice vote and the matter was 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 matters #2-11 were approved.

2. The Licenses and Franchises Committee recommends the extended hours renewal for The Wendy’s Company at 806 Main Street be approved.

3. The Licenses and Franchises Committee recommends the extended hours renewal for Dragon Chef, Inc. at 677 Moody Street be approved.

4. The Licenses and Franchises Committee recommends the extended hours renewal for Waltham Fuel Inc. at 1335 Main Street be approved.

5. The Licenses and Franchises Committee recommends the extended hours renewal for J&T Shun Lai Inc. at 573 Main Street be approved.

6. The Licenses and Franchises Committee recommends the extended hours renewal for Burger King at 881 Moody Street be approved.

7. The Licenses and Franchises Committee recommends the extended hours renewal for Despensa Familiar, Inc. at 34-36 Elm Street be approved.

8. The Licenses and Franchises Committee recommends the extended hours renewal for CVS Pharmacy #114 at 12 Harvard Street be approved.

9. The Licenses and Franchises Committee recommends the extended hours renewal for Samdough, Inc. at 591 Moody Street be approved.

10. The Licenses and Franchises Committee recommends the extended hours renewal for Morley Doughnuts, Inc. at 859 Main Street be approved.

11. The Licenses and Franchises Committee recommends the extended hours renewal for Veronica's at 1074 Main Street be approved.

Ordinances and Rules

1. The Ordinances and Rules Committee recommends the minor modification to Special Permit Order #34493 at 300 Third Avenue 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, Durkee, Harris, LaCava, LaFauci, LeBlanc, Mackin, McLaughlin, O'Brien, Paz, Stanley and Vidal.

Opposed: McMenimen

Absent: None

Presiding: Brasco.

Matter approved 13-1.

Finance

1. The Finance Committee recommends the acceptance of the FY2021 Jail Diversion Program Grant in the amount of \$43,000 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.

Long Term Debt & Capital Planning

1. The Long Term Debt & Capital Planning Committee recommends the approval of a loan authorization totaling \$5,000,000 to fund the construction phase of the Area 1314 Phase 2 Sewer and Manhole Rehabilitation Improvement Project be approved for a first reading. Councillor Darcy 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 for a first reading. Councillor Darcy moved to table the matter. The motion was adopted by a voice vote and the matter was tabled on the Council floor.

Committee of the Whole

1. The Committee of the Whole recommends confirmation of the appointment of Christina Curtin, 30 Mayall Road, Waltham as a member of the Ambulance Service Review Committee. 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, Vidal and Brasco.

Opposed: None

Absent: None

Matter approved 15-0.

2. The Committee of the Whole recommends that the care, custody and control of the property listed at 89 Maple Street be transferred to the Waltham Fire Department. 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 acceptance of the bid of \$250,000 for the property located at 102 Trimount Avenue from William Turpin and Christina Conway 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.

Unfinished Business & Other Business

- Time extension for New Creek, LLC & CBRE at 49-53 Linden Street
Referred to the Ordinances and Rules Committee

- 315 College Farm Road/Order #33963 Lip Application Communication

4. Councillor Dunn 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 Dunn moved approval of the matter. 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.

- Time extension for The Grossman Companies, Inc. at 1111 Lexington Street
Referred to the Ordinances and Rules Committee

Councillor LaCava asked that the Assessor be notified and have the tax data available for the November 23, 2020 City Council meeting.

Tabled Items

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

Councillor Paz moved to adjourn. The motion was adopted on a voice vote. Council President Brasco declared the meeting adjourned at 8:06 p.m.

Respectfully submitted by:

Kara Wilson

Executive Assistant to the City Clerk

November 16, 2020

