

Waltham City Council
Minutes of the Meeting of
February 10, 2020

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

Call of the Roll:

City Council

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

Absent: LaCava.

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 Harris rose and moved to take a matter of a proclamation out of order. The motion was adopted on a voice vote and the matter was approved. President Brasco asked Councillors Durkee and Harris and escort the Mayor into the Chamber. Councillor Harris moved to suspend the rules to hear from off Council members. The motion was adopted on a voice vote and the matter was approved. Officer Jon Bailey relayed a story about his son, Brandon Bailey who is a deaf letter carrier for the US Postal Service on his quick response and willingness to help a man that had fallen on a side walk and needed emergency help. The Mayor read her proclamation and the entire Council thanked and congratulated Brandon Bailey.

Councillor McLaughlin moved approval of the minutes from the Special City Council meeting on 1/27/2020. The motion was adopted on a voice vote and the matter was approved. Councillor Mackin moved approval of the minutes from the City Council meeting on 1/27/2020. The motion was adopted on a voice vote and the matter was approved. Councillor LaFauci moved approval of the minutes from the Executive Session meeting on Pending Litigation held on 1/27/2020. The motion was adopted on a voice vote and the matter was approved. Councillor Paz moved approval of the minutes from the Executive Session meeting on Anticipated Litigation on 1/27/2020. The motion was adopted on a voice vote and the matter was approved.

The City Clerk read Rule 86.

First public hearing: Special Permit at 44 Williams Street

Richard Michaud and Brett Francis, attorneys for the petitioner, spoke in favor of the petition. Six people 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. Councillor Paz asked questions of the petitioner. With no additional Councillors asking questions, President Brasco closed the public hearing and referred the matter to the Ordinances and Rules Committee.

Second public hearing: Special Permit at 94 Russell Street

Henry Rapid, Boston Titan Real Estate LLC, representing the petitioner, spoke in favor of the petition. Mike Illoban, 94 Russel Street Unit 3 spoke in favor of the petition. Xe Nyen, resident of 94 Russell Unit 2, spoke in favor of the petition. Six people 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 McLaughlin, O'Brien and Vidal asked questions of the petitioners. With no additional Councillors asking questions, President Brasco closed the public hearing and referred the matter to the Ordinances and Rules Committee.

Communications from the Mayor

1. The Mayor respectfully requests acceptance of a gift of a Waltham High School Letter Sweater from Denise Zuppe for the City Hall Museum. Referred to the Finance Committee.
2. The Mayor respectfully request the acceptance of a gift of the Mini City Hall from the 135th Anniversary Parade float from Pete and Cathy Magliarditi for the City Hall Museum Room. Referred to the Finance Committee.
3. The Mayor respectfully requests acceptance of a gift of Waltham Hospital Nursery and other Hospital memorabilia from Mary Ellen Koehane Ryan for the City Hall Museum room. Referred to the Finance Committee.
4. The Mayor respectfully requests the City Council to allow Chris P. Hesse, a Waltham resident who works for US Wireless Inc. to address the Council regarding municipal light posts and traffic control real estate leasing management optimization. Referred to the Committee of the Whole.
5. The Mayor respectfully requests acceptance of a donation of the Paratech Model 52-5 Lift Bag Set and the G2 Control Kit in the amount of \$8,078 from the Max McCormack Memorial Foundation. Referred to the Finance Committee.
6. The Mayor respectfully requests the confirmation of the reappointment of Raymond Buscemi, 106 Lincoln Street as a constable. Referred to the Committee of the Whole.
7. The Mayor requests an approval of an appropriation totaling \$39,045 to perform numerous major repair projects including Library heating coil replacement, CPW radio tower and Willow Street Fire Station window replacement. Referred to the Finance Committee.
8. The Mayor respectfully requests approval of the Waltham School Departments MOU – Every Student Succeeds Act memorandum. Referred to the Finance Committee.

Applications & Licenses

All licenses referred to the Licenses and Franchise Committee

- Lodging House renewal – 11-13 Walnut Street – Martin Reilly Realty Trust
- Lodging House renewal – 118 - 120 Robbins Street – Martin Reilly Realty Trust
- Lodging House renewal – 44 - 46 Chester Ave. – Martin Reilly Realty Trust
- Lodging House renewal – 20 - 22 Adams Street – Martin Reilly Realty Trust
- Lodging House renewal – 21-23 Pine Street – Max Horn
- Lodging House renewal – 755 Main Street – Max Horn
- Lodging House renewal – 74 Adams Street – SMT Realty Trust/SMT Realty Associates, LLC
- Lodging House renewal – 104 Adams Street - SMT Realty Trust/SMT Realty Associates, LLC
- Lodging House renewal – 49 – 51 Brown Street – MST Realty Associates, LLC

Committee Reports

Licenses & Franchises

1. The Licenses and Franchises Committee recommends the class 2 renewal for JJJ Auto Retailers at 190 High Street 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.
2. The Licenses and Franchises Committee recommends the class 2 renewal for Waltham Auto Tow Inc. at 279R Crescent Street 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 Grant of Location for Eversource on Calvary Street 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 lodging house renewal at 240 Crescent Street for Torrington Properties 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.
5. The Licenses and Franchises Committee recommends the lodging house renewal at 12-14 Lowell Street for Middlesex Human Services Agency, 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.
6. The Licenses and Franchises Committee recommends the lodging house renewal at 77 Prospect Street for Teresa Jones 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.

Ordinances and Rules

1. The Ordinances and Rules Committee recommends the time extension request for BP 99 Third Avenue, LLC at 99 Third Avenue be approved. Councillor McLaughlin moved that the action of the Committee be the action of the Council. Roll call required.
In Favor: Darcy, Dunn, Durkee, Harris, LaFauci, LeBlanc, Mackin, McLaughlin, McMenimen, O'Brien, Paz, Stanley and Vidal.
Opposed: None.
Absent: LaCava.
Presiding: Brasco.
Matter is approved 13-0.

Finance

1. The Finance Committee recommends the final draft assessment order for the Harrington Road sidewalks be approved. Councillor LaFauci rose amend the order as drafted in the Finance Committee. The motion was adopted on a voice vote and the matter was 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 acceptance of a gift of service from Donna and Shawn Laswell in connection with the restoration of the original Grover Cronin's nativity scene and figures in the City Museum Room. 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 the acceptance of a limited edition photo of the Waltham Watch Factory from the Chagnon Family 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.

4. The Finance Committee recommends the transfer in the amount of \$3,350 to the Engineering Department Training Account for the purpose of funding the educational expenses of the PLS program offered at Wentworth Institute of Technology for the current fiscal year 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 appropriation in the amount of \$164,120 toward the low and responsible bid for the design services of the street reconstruction including water, sewer and drainage improvements of Summit Avenue be approved. Councillor Mackin rose to clarify that this is the design portion of the project. 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 the acceptance of the Pontz Family Scholarship Fund under the terms of the trust 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.

Long Term Debt & Capital Planning

1. The Long Term Debt & Capital Planning Committee recommends the 2018 CIP Resolution be filed without prejudice per Rule 81. 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 filed.

Public Works and Public Safety

1. The Public Works and Public Safety Committee recommends the 17-25 street opening at 44 – 46 Oak Street be approved. Councillor Paz rose to recommit the matter back to Committee. The motion was adopted on a voice vote and the matter was recommitted.

2. The Public Works and Public Safety Committee recommends the draft of the traffic signals at Third Avenue, Prospect Hill Lane and Alteration State Highway layout (SHLO) be approved. Councillor 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.

Orders, Ordinances & Resolutions

- **Special Permit Application Fees Resolution**

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

- **Joint Meeting Resolution**

The City Clerk read the Resolution. Councillor McMenimen spoke on the matter. President Brasco referred the matter to the Committee of the Whole.

- **Modern Bus Shelters Resolution**

The City Clerk read the Resolution. Councillor Paz spoke on the matter. President Brasco referred the matter to the Economic and Community Development Committee.

- Private/Public Way Resolution

The City Clerk read the Resolution. Councillor LeBlanc spoke on the matter. President Brasco referred the matter to the Public Works and Public Safety Committee.

- Eagle Scout Resolution for Javier Matayabas

The City Clerk read the Resolution. Councillor Durkee spoke and congratulated the Eagle Scout. Councillor Durkee moved to suspend the rules and act on this matter without committee reference. The motion was adopted on a voice vote and the matter was approved. Councillor Durkee moved approval of the Resolution. The motion was adopted on a voice vote and the matter was approved.

- Eagle Scout Resolution for Christian Rex Schrader

The City Clerk read the Resolution. Councillor Durkee spoke and congratulated the Eagle Scout. Councillor Durkee moved to suspend the rules and act on this matter without committee reference. The motion was adopted on a voice vote and the matter was approved. Councillor Durkee moved approval of the Resolution. The motion was adopted on a voice vote and the matter was approved.

Chair called a one-minute recess.

- Traffic Mitigation Resolution

The City Clerk read the Resolution. Councillor LeBlanc spoke on the matter. President Brasco referred the matter to the Public Works and Public Safety Committee.

Unfinished Business & Other Business

Tabled Items

Parking Resolution (12/23/2019 approved to schedule a PH)

President Brasco named the Council members for two ad-hoc committees

Housing Ad-hoc Committee

Stanley

Paz

Vidal

Fernald Re-Use Committee

McLaughlin

Harris

Darcy

LaCava

LeBlanc

The City Clerk reminded everyone that the last day to register to vote in the Presidential Primary is Wednesday, February 12, 2020 and that City Hall would be open until 8:00 p.m.

Councillor McMenimen reminded everyone to fill out the census form and mail it back.

Councillor Harris mentioned that a neighborhood meeting for Wards 5, 8 and 9 would be held on February 11, 2020 from 6:00 to 7:30 p.m. to discuss community policing that has been going on within their wards.

Councillor Paz announced that he is having a Community meeting in Ward 9 at 48 Pine St. on Sunday, 4:30 p.m.

Councillor Vidal moved to adjourn. The motion was adopted on a voice vote and President Brasco declared the meeting adjourned at 8:42 p.m.

Respectfully submitted by:

Kara Wilson

Executive Assistant of the City Clerk

February 18, 2020

Approved by the City Council: _____